

**FILED**

**AUG 07 2006**

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CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

UNITED STATES OF AMERICA,	)	No. CR 06-00043 DLJ
Plaintiff,	)	STIPULATION AND <del>PROPOSED</del>
v.	)	PROTECTIVE ORDER
RONALD LEONARD SHERMAN,	)	RE: DISCOVERY OF
Defendant.	)	MEDIA PERTAINING TO CHILD
	)	VICTIM OF SEXUAL EXPLOITATION

The defendant is charged with one count of using facilities of interstate commerce to induce a minor to engage in illegal sexual activity, in violation of 18 U.S.C. § 2422(b). The United States will produce to counsel for the defendant in this case mirror images of computer hard drives that were seized from the defendant, as well as of a computer hard drive provided by the child victim's parents. These hard drives contain communications between the defendant and the child victim, as well as other information pertaining to the child victim. The media to be provided to the defendant also contains sexually explicit images of individuals who may be minors. Pursuant to the child victim privacy provisions of 18 U.S.C. § 3509(d) and Federal Rule of Criminal Procedure 16, the parties stipulate that disclosure of these materials shall be subject

STIPULATION AND PROTECTIVE ORDER  
[CR 06-00043 DLJ]

1 to the following restrictions:

2 1. Except when being actively examined for the purpose of the preparation of the  
3 defense of defendant Ronald Leonard Sherman, the digital media produced by the United States  
4 to defense counsel, Jerome Matthews, and any paper print-outs of such media, shall be  
5 maintained in a locked, safe, and secure drawer, cabinet, or safe which is accessible only to Mr.  
6 Matthews, his investigator, or his expert. Mr. Matthews, his investigator, and the expert shall  
7 not permit any person access of any kind to the digital media and paper print-outs of such except  
8 as set forth below.

9 2. The following individuals may examine the digital media and paper print-outs of  
10 such for the sole purpose of preparing the defense of defendant Ronald Leonard Sherman and for  
11 no other purpose:

- 12 a) Counsel for defendant, Jerome Matthews;
- 13 b) Persons employed by the Office of the Federal Public Defender who are  
14 assisting with the preparation of Ronald Leonard Sherman's defense;
- 15 c) Defendant Ronald Leonard Sherman, but only in the presence of his attorney;
- 16 d) Any expert(s) retained on behalf of defendant Ronald Leonard Sherman to  
17 assist in the defense of this matter; and
- 18 e) Any investigator(s) retained on behalf of defendant Ronald Leonard  
19 Sherman to assist in the defense of this matter.

20 3. A copy of this order shall be maintained with the digital media and paper print-  
21 outs of such at all times.

22 4. All individuals other than Mr. Matthews and Ronald Leonard Sherman who  
23 receive access to the materials pursuant to this Order, *prior to receiving access to the materials*,  
24 shall sign a copy of this Order acknowledging that

- 25 a) they have reviewed the Order;
- 26 b) they understand its contents;
- 27 c) they agree that they will only access the digital media for the purposes of  
28 preparing a defense for defendant Sherman;

- d) they will not make any copies of any image files within the digital media without further order of the Court;
- e) they will not distribute any of the materials without further order of the Court;
- f) they will not access the digital media from any computer that is connected to the internet or to any local network; and
- g) they understand that failure to abide by this Order may result in sanctions by this Court.

5. The orders referenced in paragraph 4 signed by persons employed by the Office of the Federal Public Defender who are assisting with the preparation of Ronald Leonard Sherman's defense shall be maintained by the Federal Public Defender, Barry J. Portman, and shall be available for review by the Court upon the Court's request.

6. With regard to all other orders signed pursuant to paragraph 4, counsel for Ronald Leonard Sherman, Mr. Matthews, shall promptly file signed copies of the Order, ex parte and under seal.

7. No other person may be allowed to examine the material without further court order. Examination of the digital media shall be done in a secure environment which will not expose the materials to other individuals not listed above.

8. No copies of any image files contained in the digital media may be made without further court order. The prohibition on copying includes (1) printing out images onto paper or film and (2) duplicating the images in any digital format. Non-image files such as word processing files, emails, and other text files may be duplicated only to the extent necessary to prepare the defense of this matter.

9. The computer from which the digital media will be accessed shall not be connected to the Internet or to any other computer network.

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10. Within ten court days of the judgement and sentencing hearing in this matter, all material provided to defense counsel pursuant to this Order, and all other authorized copies, if any, shall be returned to the United States. If defendant believes that he must maintain the material for any reason related to appeal, defendant must seek authorization from the District Court within ten days of the sentencing and judgement in this matter.

IT IS SO STIPULATED.

DATED: August 4, 2006


/s/  
JEROME MATTHEWS  
Attorney for Ronald Leonard Sherman

DATED: August 4, 2006

/s/  
MERRY JEAN CHAN  
Assistant United States Attorney

IT IS SO ORDERED that disclosure of the above-described discovery materials shall be restricted as set forth above.

DATED: August 7, 2006

  
HON D. LOWELL JENSEN  
United States District Judge